

THE MARKS LAW FIRM, P.C.

February 12, 2020

Via ECF

Honorable Jesse M. Furman
United States District Judge
United States Courthouse
40 Foley Square, Courtroom 1105
New York, New York 10007

RE: Yelitza Picon v. Burning in Water LLC et al
Docket: 1:19-cv-09709-JMF

Dear Judge Furman,

Plaintiff respectfully requests an adjournment of the Order to Show Cause Hearing in the above referenced matter currently scheduled for February 13, 2020 and a stay on the pending proposed default judgment.

Barry Malin, an agent for Defendants, reached out to Plaintiff yesterday via e-mail and requested we withdraw our motion for default judgment. The Parties therefore request forty-five (45) days for Defendants to review the matter and retain counsel and for the Parties to discuss possible settlement.

We thank you and the Court for its time and consideration on this matter.

Application GRANTED. The hearing is RESCHEDULED to **March 26, 2020, at 3:30 p.m.** In the event that any Defendant appears or opposes the motion for default judgment prior to that date, the parties shall prepare to treat that hearing as the initial pretrial conference with respect to any such appearing Defendant. That is, if any Defendant appears, opposes the motion, or seeks a *nunc pro tunc* extension of time to respond to the complaint, then the parties — including any such appearing Defendant — shall follow the pre-conference procedures specified in the Court's Order of October 23, 2019, including by submitting a joint letter addressing certain topics and a proposed case management plan no later than the Thursday prior to the conference and by participating in an early mediation session at least two weeks prior to the conference. The Clerk of Court is directed to terminate ECF No. 19. SO ORDERED.

Respectfully Submitted,

The Marks Law Firm, P.C.

By: 

Bradly G. Marks


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